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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT IN
SUPPORT OF ARREST WARRANT

- against -

(T. 21, U.S.C., § 846)

PAUL RIVERA,
also known as "Paul Zance,"
"Paulee Zance,"
"Paulie Rivera,"
"Edgar Rivera,"
"Zance Rivera" and
"Steven Rivera,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

THOMAS DUANE, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

Upon information and belief, on or about January 18, 2012, within the Eastern District of New York and elsewhere, the defendant PAUL RIVERA, also known as "Paul Zance," "Paulee Zance," "Paulie Rivera," "Edgar Rivera," "Zance Rivera" and "Steven Rivera," together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved a substance containing cocaine, a Schedule II controlled substance, and a substance containing heroin, a Schedule I

controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846, 841(b)(1)(C))

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. Based on information gathered pursuant to an ongoing investigation, including a review of records, conversations with fellow law enforcement personnel and statements made by the defendant, which are detailed below, there is probable cause to conclude that on or about the morning of January 18, 2012, the defendant PAUL RIVERA met with several associates at a location in Brooklyn, New York. The defendant and four other individuals (the "VEHICLE OCCUPANTS") subsequently got into a 2010 Honda Accord with New York license plate FWH-5874 (the "VEHICLE"), and left from Brooklyn, New York, to travel to Binghamton, New York. The defendant served as the driver of the vehicle.

2. At approximately 8:00 a.m. on January 18, 2012, on Interstate 81 at approximately mile marker 206.9 in Lennox Township, Susquehanna County, Pennsylvania, a Pennsylvania State

^{1/} Because the purpose of this complaint and affidavit are merely to establish probable cause to arrest, I have not set forth all of the facts and circumstances concerning this investigation of which I am aware.

Trooper observed the VEHICLE make a left lane violation. Based on this violation, the State Trooper initiated a traffic stop of the VEHICLE at approximately mile marker 209.4. The State Trooper approached the VEHICLE and observed that the operator was an individual later identified as the defendant, PAUL RIVERA. The State Trooper also observed that the VEHICLE contained the other VEHICLE OCCUPANTS.

3. After being stopped, the defendant PAUL RIVERA told the State Trooper, in sum and substance, that he was coming from New York City^{2/} and was headed to Binghamton, New York. The defendant initially stated that he was headed to Binghamton to visit friends, but later stated that he was headed to Binghamton to visit the sister of one of the VEHICLE OCCUPANTS. The defendant was asked whether he had ever been arrested and initially stated that he had not; subsequently, the defendant admitted that he had been arrested for extortion in 2000, but failed to mention additional arrests for drug and weapons charges (which later became known to the State Trooper, as he had run a background check on the defendant after the initial traffic stop). The defendant also stated that the VEHICLE belonged to his boss, and that he was unable to locate the registration

^{2/} Based on information gathered pursuant to the ongoing investigation detailed above, the defendant PAUL RIVERA is the operator of a tattoo shop located at 361 Sutter Avenue, Brooklyn, New York, which he uses as a base of operations.

information for the VEHICLE. During the conversation, the State Trooper observed that the defendant appeared nervous and refused to make eye contact; he also observed a faint odor of burnt marijuana coming from the VEHICLE.

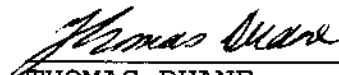
4. The State Trooper then asked the defendant PAUL RIVERA to consent to a search of the VEHICLE, and the defendant refused. The State Trooper subsequently summoned another officer to the scene, along with a canine ("K-9") named "Johnny." An exterior sniff search of the VEHICLE was performed by "Johnny," during which "Johnny" alerted to an odor of a controlled substance.

5. Following the sniff search, the State Trooper sought a search warrant for the vehicle. At approximately 12:13 p.m. on January 18, 2013, Judge Jodi Ellen Cordner, Magisterial District Judge for District 34-3-02 in Susquehanna County, Pennsylvania, issued a search warrant for the VEHICLE. The search of the VEHICLE yielded 6.1 ounces (or approximately 170 grams) of cocaine and 170 glassine bags containing heroin, which bore the stamp "Monster Mash" in red ink. In addition, a blue vial containing marijuana was recovered from the person of one of the VEHICLE OCCUPANTS. A subsequent lab report confirmed that the total weight of the cocaine was approximately 170 grams; it also concluded that the total weight of the heroin was

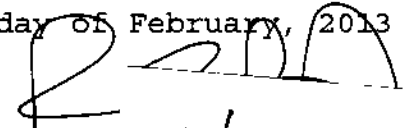
approximately 7.5 grams, and the total weight of the marijuana was approximately 0.32 grams.

6. The defendant PAUL RIVERA was arrested and charged with the manufacture, delivery or possession with intent to manufacture or deliver a controlled substance in violation of 35 PA CON STAT. § 780-113, § A30; conspiracy to manufacture, deliver or possess a controlled substance in violation of 18 PA CON STAT. § 903; intentional possession of a controlled substance in violation of 35 PA CON STAT. § 780-113, § A16; and use or possession of drug paraphernalia in violation of 35 PA CON STAT. § 780-113, § A32. The defendant is awaiting trial on those charges and is currently incarcerated in Pennsylvania.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued so that the defendant PAUL RIVERA may be dealt with according to law.


THOMAS DUANE
Special Agent, FBI

Sworn to before me this
5th day of February, 2013


THE HONORABLE
United States
Eastern District of Pennsylvania

JR.